



STUMPF | CRADDOCK | MASSEY | FARRIMOND

HENRY J. FASTHOFF, IV
Attorney at Law
hfasthoff@scmfpc.com

1400 POST OAK BLVD., 4th FLOOR
HOUSTON, TEXAS 77056
713.871.0919
713.871.0408 (fax)
www.scmfpc.com

MEMO ENDORSED

June 15, 2007

p.2

Honorable Judge Richard M. Berman
United States District Judge
United States Courthouse
500 Pearl St., Room 650
New York, New York 10007

VIA FACSIMILE (212) 805-6717

Re: Case No. 07-CV-3067; *The Royalty Network Inc. vs. Columbia Recording Corporation, et al.*; In the United States District Court for the Southern District of New York

Dear Judge Berman:

I represent the Defendants in the above-styled cause. A hearing on Plaintiff's motion for preliminary injunction is currently scheduled for 3:00 p.m. on Tuesday, June 19. The parties are close to certain agreements that eliminate the need for that hearing.

I, along with Plaintiff's counsel Anthony Motta, telephoned Mr. Brettler this morning to apprise him of this and it was suggested that if plaintiff withdraws its motion for a preliminary injunction we hold a status conference at 3:00 on June 19 in place of the preliminary injunction hearing. The purpose of the status conference would be to inform the Court of the status of the parties' settlement discussions. The parties to this lawsuit are in agreement on the material terms. The impediment to formally announcing settlement is not with the parties that are before the Court.

In the interest of conserving client resources at this stage, since I reside in Houston and the parties before the Court have agreed to material terms of settlement, would the Court permit me to appear for the status conference via telephone?

Thanks for your time and consideration.

Sincerely,

Henry J. Fasthoff, IV

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/15/07

AUSTIN

HOUSTON

SAN ANTONIO

June 15, 2007

Page 2

cc: Anthony Motta, Esq.

cc: Marc Rachman, Esq.
Ina Scher, Esq.

APPLICATION TO APPEAR BY
TELEPHONE IS GRANTED. DEFENSE
COUNSEL SHOULD ARRANGE TO
CALL THE COURT JUST PRIOR TO
3:00 PM ON 6/19/07.

SO ORDERED:

Date: 6/15/07Richard M. Berman

Richard M. Berman, U.S.D.J.

